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Cyprus Negotiations Thwarted by Issues on Security and Guarantees

How Can the Peace Process Be Revived?

Ioannis N. Grigoriadis

The failure of the latest round of negotiations at Crans-Montana has disenchanted those who saw them as a historic opportunity for the resolution of the Cyprus problem. Issues regarding security and guarantees proved to be insurmountable obstacles to a solution. Although mutual recriminations, upcoming hydrocarbon drillings, and presidential elections in Cyprus will not help restore the negotiations in the immediate future, there is no better alternative to the continuation of the UN-led negotiations process, with the aim of achieving a federal solution.

Despite significant progress, the latest round of Cyprus conflict-resolution negotiations at Crans-Montana, Switzerland, has again failed to deliver a breakthrough. The leaders of the two Cypriot communities and the foreign ministers of Cyprus' three guarantor states – Greece, Turkey, and the United Kingdom – could not reach common ground, with security and guarantees being considered the most important obstacles. The moderate credentials of both leaders – the President of the Republic of Cyprus and Greek Cypriot leader, Nicos Anastasiades, and the President of the internationally unrecognized “Turkish Republic of Northern Cyprus (TRNC)” and Turkish Cypriot leader, Mustafa Akıncı – had inspired the hopes of all Cypriots who desire an end to the

60-year-long partition of the island. Nevertheless, both failed to meet expectations.

Trust between the two leaders suffered a heavy blow in the Mont Pèlerin negotiations of December 2016 and the Geneva Conference of January 2017 and never recovered. Although the two leaders should have acted together and represented the interests of the Cypriot people as a team – both against their respective communities and the guarantor states – they acted separately and each began questioning the true intentions of the other. Incidents such as the February 2017 decision of the Cypriot Parliament to approve the commemoration in public schools of the 1950 Greek Cypriot referendum about union with Greece (*enosis*) led Mr. Akıncı to assume that Mr. Anastasiades was not truly committed to the peace process, and that he was more interested

in his expected candidacy for the February 2018 presidential elections in the Republic of Cyprus. On his side, Mr. Anastasiades expected a more courageous stance from Mr. Akıncı when it came to spelling out the dissociation of Turkish Cypriot from Turkish interests on issues such as security and guarantees. This allowed Turkey to state its own views and face no significant pressure when it came to the question of compromise. Crucial time was wasted in the first months of 2017. Efforts by the UN Secretary-General Special Advisor Espen Barth Eide to bring the sides closer led to the reconvening of the Conference on Cyprus at Crans-Montana, but he could not secure a compromise agreement. A last-ditch package-deal proposal put forward by Mr. Anastasiades on 5 July failed to change the course of events.

UN Secretary-General António Guterres refused in his statement to identify one particular issue as the reason for the failure at Crans-Montana. Nonetheless, security and guarantees appeared to be the thorniest issues. The presence of Turkish troops and the future of the guarantee system were heavily debated. Turkey demanded the continuation of the Treaty of Guarantee and the permanent presence of Turkish troops. The Republic of Cyprus and Greece demanded the abolition of the Treaty of Guarantee and the full withdrawal of all troops. Then efforts were made to bridge the two opposing positions through a proposal that allowed for the presence of a small number of Greek and Turkish forces as part of an international security force. Whether their departure from Cyprus would take place at a certain future date (sunset clause) or simply be reconsidered (review clause) at a certain future date were the subjects of the final negotiation, which did not bear fruit. Meanwhile, Turkish Cypriots appeared willing to return only part of the town of Morphou (Güzelyurt) to Greek Cypriot administration, whereas Greek Cypriots conceded to a single-ticket rotating presidency between Greek Cypriots and Turkish Cypriots. They also conceded to

a more flexible attitude on the property issue, only as a part of their package-deal proposal and under the condition that Morphou would be returned, the guarantee regime would be abolished, and a “sunset clause” would be set for the presence of Turkish troops in Cyprus.

What Next for Cyprus?

The failure of the latest round of negotiations is undoubtedly a big setback in efforts to reunify the island. It has disheartened peace activists and relieved hardliners on both sides of the “Green Line.” Many have argued that this was the last chance for a federal solution in Cyprus and that if Anastasiades and Akıncı could not reach a deal, nobody can. Others have pointed out that, although time was working against the viability of a federal solution in Cyprus, low points have been overcome in the recent history of the Cyprus question and negotiations were resumed. In any case, any alternative scenario would probably generate more tension and acrimony.

Potential Conflict Points Looming

In the near future, the conditions for a potential resumption of the talks are unlikely to improve. The hydrocarbon drillings of the Total-ENI consortium in Plot No. 11 of the Exclusive Economic Zone of the Republic of Cyprus could harm relations between the parties. Turkey has disputed the right of the Republic of Cyprus to conduct such operations and has conducted its own research on seismic activity in the region. The Republic of Cyprus has considered such operations to be its sovereign right and has been supported in this issue by the international community. A Turkish reaction to the operation, which began in July 2017, would further deteriorate the already tense climate. The launching of the campaign for the Cypriot presidential elections in February 2018 is also likely to have a detrimental effect on the prospects for a resumption of negotiations.

The common understanding between the two biggest Greek Cypriot parties – the center-right Democratic Rally (DISY) and the left Progressive Party of Working People (AKEL) – that has been instrumental in keeping the negotiation process stable will inevitably dissipate, and mutual recriminations will abound.

What about a New Negotiation Framework?

Would this mean that there are no prospects for restarting the peace process? On the one hand, the Republic of Cyprus and Greece have pledged for the continuation of the UN “good offices” mission in Cyprus. President Anastasiades stated that he would remain available to negotiate on the basis of his proposal. On the other hand, Turkey has declared its discontent with the current negotiations framework. President Recep Tayyip Erdoğan stated that the failure of the talks at Crans-Montana pointed at the impossibility of finding a solution within the set framework of the United Nations mission. In other words, seeking a confederal solution, or even a negotiated partition, would be Turkey’s desirable outcome. The statements of the Turkish Cypriot leader, Mustafa Akıncı, also reflect disillusionment – up to the point of disbelief – about the feasibility of achieving a federal solution in Cyprus. On his side, the UN Secretary-General linked the continuation of the UN mission to the will of the parties. For the convergences achieved in the recent negotiations not to be wasted and for the better planning of any upcoming confidence-building measures, it would be necessary that both sides request the continuation of the UN mission.

Could the new failure mean that Cyprus is heading toward a confederation, partition, or even annexation of the north to Turkey? Although repeated failures to achieve a breakthrough only reinforce the status quo and the long-standing *de facto* division of the island, this does not necessarily mean that inertia can be easily over-

come and a new framework can be set. Any alternative solution will face fierce opposition from either of the two communities or the guarantor powers, and it would be even more difficult to sway public opinion, regardless of side, about the wisdom of that choice. The proposal to abandon the federal model and to work toward a negotiated partition with both states becoming members of the European Union – a “velvet divorce” – has been presented as an alternative to a federal solution. Turkish Cypriots would gain their sovereignty and EU membership. What the Greek Cypriots would gain by supporting Turkish Cypriot sovereignty would be minor territorial gains and the prevention of a Turkish takeover of northern Cyprus. Nevertheless, this underestimates not only the unpopularity of such an idea within Greek Cypriot public opinion, but also the very viability of the “TRNC.” Turkish Cypriots have not been able to develop their own state capacity and have remained dependent on the financial aid and security apparatus of Turkey. This also means that, even if the “TRNC” were internationally recognized, it would not meet the Copenhagen Criteria for EU membership. Cutting the umbilical cord connecting Turkish Cypriots to Turkey without the resolution of the Cyprus issue is a project more difficult than achieving a federal solution in Cyprus. In other words, Turkish Cypriot sovereignty is a goal that Turkish Cypriots alone could not achieve, and neither Turkey nor the Republic of Cyprus would be willing to endorse it, let alone fund it. Notwithstanding the potential veto of member states, the European Union would find it contradictory to its own record of reconciliation and integration to facilitate the partition of one of its smallest member states. The most likely scenario following protracted inertia would be the annexation of northern Cyprus to Turkey.

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Turkey's Influence on the Process

Regardless of the responsibilities of both communities for the failure of peace negotiations in Cyprus, it should not be forgotten that Turkey remains the biggest veto player. The discussions about security and guarantees are a reminder of this.

The main reason for Turkey's shift from its traditional position in 2004 was a novel understanding of Turkey's strategic interests in Cyprus. The Justice and Development Party (AKP) government made it clear that Turkey's interests on the island were limited to the protection of the legitimate interests of the Turkish Cypriots and did not expand to the protection of Turkey's own security and strategic priorities.

Thirteen years after the Annan Plan, the AKP government's insistence on the permanent presence of Turkish troops and the continuation of the guarantees – despite efforts to address the security concerns of Turkish Cypriots through means acceptable to Greek Cypriots – resonates with the increasing identification of the AKP government with mainstream Turkish views on the Cyprus question that were dominant between 1974 and 2002. If Turkey again considers Cyprus as its own strategic outpost in the Eastern Mediterranean and wishes to perpetuate its presence at the expense of Turkish Cypriot interests, then the prospect of a solution would become even more distant.

Confidence-building Measures and the Role of Cypriot Civil Society

Considering the above, it would be a surprise if a major political initiative were to be taken to conduct a new round of negotiations before the February 2018 Cypriot presidential elections. In the meantime, Cypriot civil society is the most suitable forum, not only for promoting bi-communal cooperation and dialogue but also for exerting pressure for the resumption of the peace talks based on a federal model. Putting forward a set of confidence-building measures that have been exhaust-

ingly discussed but not implemented over the last years – such as the opening of new checkpoints on the Green Line, the unification of mobile telephony networks, the opening of the closed city of Varosha to its legal inhabitants and its reconstruction, and easing the embargo against Turkish Cypriots – could become important short-term goals because they would make the benefits of cooperation clear and would fuel further cooperation and integration. Supporting existing bi-communal civil society activities and working toward the expansion of the number and scope of involved NGOs so that wider segments of both communities are involved is also of paramount significance. Opening the discussions about security to the citizens would also be of primary importance so that the real needs of Greek Cypriots and Turkish Cypriots can be identified. Escaping from zero-sum game approaches – where security for Turkish Cypriots meant insecurity for Greek Cypriots and vice versa – to solutions that improve security simultaneously for all Cypriots would be vital. Reaching an agreement on the bi-communal distribution of prospective natural gas revenues in the event of a solution could also build bi-communal confidence and prevent the escalation of a new crisis. 2017 has witnessed the emergence of an unprecedented bi-communal civil society mobilization. To defeat the status quo, Greek and Turkish Cypriot citizens need to take bold initiatives within the scope of their constitutional rights. If the political leadership hesitates to lead, a critical mass of Cypriot federalists could revitalize the Cypriot peace project.